

**UNITED STATES DISTRICT COURT****Northern District of California**

O.N. Equity Sales Company,

07-02844 JSW

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

v.

Cui,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
2 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

3  
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
5 required, to occur before the Case Management Conference.

6  
7  
8 Dated: August 20, 2007

9 RICHARD W. WIEKING

10 Clerk

11 by: Timothy J. Smagacz



12 ADR Administrative Assistant

13 415-522-4205

14 Tim\_Smagacz@cand.uscourts.gov  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## PROOF OF SERVICE

Case Name: O.N. Equity Sales Company v. Cui

Case Number: 07-02844 JSW

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On August 20, 2007, I served a true and correct copy of:

### **Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Daniel T. Balmat  
Squire, Sanders & Dempsey, LLP  
One Maritime Plaza  
Suite 300  
San Francisco, CA 94111-3492  
dbalmat@ssd.com

Joseph Anthony Meckes  
Squire Sanders & Dempsey  
One Maritime Plaza Ste 300  
San Francisco, CA 94111-3492  
jmeckes@ssd.com

Michael R. Reed  
Zeiger, Tigges and Little, LLP  
3500 Huntington Center  
41 South High Street  
Columbus, OH 43215

Marion H. Little  
Zeiger, Tigges & Little, LLP

3500 Hunter Center  
41 South High Street  
Columbus, OH 43215

Joel A. Goodman  
Goodman & Nekvasil, P.A.  
14020 Roosevelt Blvd.  
Suite 808  
P.O. Box 17709  
Clearwater, FL 33762  
gn.law@verizon.net

Cary Scott Lapidus  
Cary S. Lapidus Law Offices  
425 California Street  
Suite 2100  
San Francisco, CA 94104  
carylavidus@aol.com

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 20, 2007 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



---

ADR Administrative Assistant

415-522-4205

Tim\_Smagacz@cand.uscourts.gov